

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 2, 13, and 19-28 are pending in the application, with claims 2, 19, and 23 being the independent claims. Claim 4 is sought to be canceled without prejudice to or disclaimer of the subject matter therein. Claims 1, 3, 5-12, and 14-18 were previously canceled without prejudice to or disclaimer of the subject matter therein. Claims 2, 13, 19, and 23-25 are sought to be amended. Applicants reserve the right to prosecute similar or broader claims, with respect to previously canceled and currently amended claims, in the future. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Claim Objections and Allowable Subject Matter

Applicants wish to thank the Examiner for indicating in paragraph 10 on page 12 of the Office Action that claims 4 and 13 were objected to, but allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, and to include all of the subject matter of the base claim and any intervening claims.

Applicants have canceled claim 4, rendering its objection moot.

Applicants have amended independent claim 2 to include allowable subject matter of previously pending claim 4. As claim 13 depends from now allowable claim 2, Applicants respectfully request the Examiner reconsider and withdraw the objection to claim 13.

Applicants note the Examiner's statement of reasons for allowance presented on page 12-13 of the Office Action. Applicants reserve the right to demonstrate the claims are allowable over the art made of record for further reasons related to any of their recited features. Applicants further contend that reservation of this right does not give rise to any implication regarding whether the Applicants agree with or acquiesce in the reasoning provided by the Examiner in the Examiner's statement of reasons for allowance.

Rejection under 35 U.S.C. § 112

Claims 2, 4, 13, and 26 were rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite. Applicants respectfully traverse.

Without acquiescing to the propriety of the rejection, Applicants have canceled claim 4, rendering its rejection moot.

In regards to claims 2, 13, and 26, although Applicants believe the previously presented claims met all requirements of 35 U.S.C. § 112, second paragraph, and without acquiescing to the propriety of the rejection, based on the amendments above, Applicants respectfully requests that the Examiner reconsider and withdraw this rejection.

Rejections under 35 U.S.C. § 102

Claims 2 and 26 were rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by International Publication No. WO 01/95384 to Eccleston ("Eccleston") or by "Microplanar Polymer Light-emitting Diodes" by McGehee et al. ("McGehee"). Applicants respectfully traverse these rejections.

Without acquiescing to the Examiner's statements for the rejections, for other reasons, and in order to expedite prosecution, Applicants have amended independent claim 2 to

include the patentable subject matter of previously pending claim 4. For at least this reason, claim 2 is patentable over Eccleston and McGhee. Reconsideration and allowance of claim 2 is respectfully requested.

Also, at least based on its dependency to claim 2, claim 26 should be found allowable over the applied references, as well as for its respective additional distinguishing features. Reconsideration and allowance of claim 26 is respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 19-22 and 27

Claims 19-22 and 27 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Published Patent Application 2004/0075155 to Huang et al. (“Huang”) in view of International Publication No. WO 03/056640 to Mizusaki et al. (“Mizusaki”), and further in view of U.S. Published Patent Application 2003/0183915 to Scheifers et al. (“Scheifers”). Applicants respectfully traverse this rejection.

Claim 19 as amended recites, *inter alia*,

a ***first electrode*** on the substrate, wherein the first electrode has ***a first thickness***;
a ***second electrode*** on the substrate, wherein the second electrode has ***a second thickness***, and wherein a separation between the first electrode and the second electrode is about ten nanometers;
a ***third electrode*** in a hole in the substrate, wherein the third electrode has ***a third thickness***, and wherein the third electrode is positioned within the separation between the first electrode and the second electrode;
...,
wherein ***the first and second thicknesses are at least approximately twice the third thickness.***

(emphasis added)

On page 6 of the Office Action the Examiner states, which Applicants do not acquiesce to, that Huang teaches the features of claims 19 and 20, except a sealing layer

formed on the organic semiconductor and that a separation between the first and second electrode is about 10 nanometers.

Also on page 6 of the Office Action the Examiner states, which Applicants do not acquiesce to, that Scheifers remedies the deficiencies of Huang, and teaches “a conventional bottom gate transistor with a sealing layer … on the organic semiconductor.”

On page 7 of the Office Action the Examiner states, which Applicants do not acquiesce to, that Mizusaki remedies the deficiencies of Huang, and teaches “an organic transistor with a channel length being on the nanometer same such as 1-20 nm, and as such the distance between the first and second electrodes being 1-20 nm.”

Even assuming the statements by the Examiner are correct, which Applicants do not acquiesce to, Applicants submit that none of Huang, Mizusaki, or Scheifers, whether taken alone or in combination, disclose, teach, or suggest that *the first and second thicknesses are at least approximately twice the third thickness* as recited in claim 19.

For at least this reason, Applicants respectfully request that the rejection under 35 U.S.C. § 103(a) be removed from claim 19 and that this claim be passed to allowance. Claims 20-22 and 27 depend from claim 19. Based on their dependency from claim 19, and without acquiescing to the Examiner’s statements regarding claims 21 and 22 on pages 7-8 of the Office Action and claim 27 on pages 8-9 of the Office Action, claims 20-22 and 27 should be allowed for at least the same reasons as discussed, *supra*, with respect to claim 19, and further in view of their own respective features.

Claims 23-25 and 28

Claims 23-25 and 28 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Huang in view of Mizusaki, in further view of Scheifers, and in even

further view of “Free Volume Quantities and Viscoelasticity of Polymer Glasses” by Higuchi et al. (“Higuchi”). Applicants respectfully traverse this rejection.

Claim 23 as amended recites, *inter alia*,

a **first electrode** on a substrate, wherein the first electrode has **a first thickness**, and wherein the substrate includes a glass other than SiO₂;
a **second electrode** on the substrate, wherein the second electrode has **a second thickness** and is separated about ten nanometers from the first electrode;
a **third electrode** in a hole in the substrate, wherein the third electrode has **a third thickness** and is positioned between the first electrode and the second electrode;
...,
wherein **the first and second thicknesses are at least approximately twice the third thickness**.

(emphasis added)

Claim 23 recites similar distinguishing features as the distinguishing features recited in claim 19, discussed above, which distinguish over Huang, Mizusaki, and Scheifers, for similar reasons as discussed above with respect to claim 19.

On page 9 of the Office Action the Examiner states, which Applicants do not acquiesce to, that Higuchi cures the deficiencies of Huang, and teaches “that polycarbonate is a glass.”

Even assuming the statements by the Examiner are correct, which Applicants do not acquiesce to, Applicants submit that none of Huang, Mizusaki, Scheifers, or Higuchi, whether taken alone or in combination, disclose, teach, or suggest that **the first and second thicknesses are at least approximately twice the third thickness** as recited in claim 23.

For at least these reasons, Applicants respectfully request that the rejection under 35 U.S.C. § 103(a) be removed from claim 23 and that this claim be passed to allowance. Claims 24-25 and 28 depend from claim 23. Based on their dependency from claim 23, and without acquiescing to the Examiner’s statements regarding claims 24 and 25 on pages 10-11

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of the Office Action and claim 28 on pages 11-12 of the Office Action, claims 24-25 and 28 should be allowed for at least the same reasons as discussed, *supra*, with respect to claim 23, and further in view of their own respective features.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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